

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10552094
Filing Date	2005-04-10
First Named Inventor	Navarro
Art Unit	3738
Examiner Name	
Attorney Docket Number	ZP193-05002

U.S.PATENTS						<input type="button" value="Remove"/>
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Patent citation information please click the Add button.						<input type="button" value="Add"/>
U.S.PATENT APPLICATION PUBLICATIONS						<input type="button" value="Remove"/>
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20030233097		2003-12-18	Ferree	
	2	20030220695		2003-11-27	Servrain	
	3	20030220691		2003-11-27	Songer et al.	
	4	20030216810		2003-11-20	Ralph et al.	
	5	20030204271		2003-10-30	Ferree	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		Application Number	10552094
		Filing Date	2005-04-10
		First Named Inventor	Navarro
		Art Unit	3738
		Examiner Name	
		Attorney Docket Number	ZP193-05002

	6	20030204231		2003-10-30	Eisermann et al.	
	7	20030204260		2003-10-30	Ferree	
	8	20030199982		2003-10-23	Bryan	
	9	20030199981		2003-10-23	Ferree	
	10	20030195631		2003-10-16	Ferree	
	11	20030195630		2003-10-16	Ferree	
	12	20030191536		2003-10-09	Ferree	
	13	20030191534		2003-10-09	Viart et al.	
	14	20030191533		2003-10-09	Dixon et al.	
	15	20030187506		2003-10-02	Ross et al.	
	16	20030176923		2003-09-18	Keller et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Not for submission under 37 CFR 1.99)</i>	Application Number		10552094	
	Filing Date		2005-04-10	
	First Named Inventor		Navarro	
	Art Unit		3738	
	Examiner Name			
	Attorney Docket Number		ZP193-05002	

	17	20030176923		2003-09-18	Lawson et al.	
	18	20030176921		2003-09-18	Lawson	
	19	20030135277		2003-07-17	Bryan et al.	
	20	20030100951		2003-05-29	Serhan et al.	
	21	20030069644		2003-04-10	Kovacevic et al.	
	22	20030009224		2003-01-09	Kuras	
	23	20020049394		2002-04-25	Roy et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² <input checked="" type="checkbox"/>	Kind Code ⁴ <input type="checkbox"/>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵ <input type="checkbox"/>
	1							

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Not for submission under 37 CFR 1.99)</i>	Application Number		10552094
	Filing Date		2005-04-10
	First Named Inventor		Navarro
	Art Unit		3738
	Examiner Name		
	Attorney Docket Number		ZP193-05002

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	OOIJ, ANDRE VAN et al., Complications of Artificial Disc Replacement, Journal of Spinal Disorders and Techniques, 1/15/03, Vol. 16, No. 4, Pages 362-368, Lipincott Williams & Wilkins Inc. USA	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		10552094	
	Filing Date		2005-04-10	
	First Named Inventor		Navarro	
	Art Unit		3738	
	Examiner Name			
	Attorney Docket Number		ZP193-05002	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
 Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
 None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Robert Eichenberger/	Date (YYYY-MM-DD)	2006-04-21
Name/Print	Robert H. Eichenberger	Registration Number	42509

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.